

Appl. No. 10/828,533

Amdt. dated April 3, 2006

Reply to Office action of February 08, 2006

Amendments to the Drawings:

There are no amendments to the Drawings.

Attachments: None

Appl. No. 10/828,533
Amdt. dated April 3, 2006
Reply to Office action of February 08, 2006

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of claims 1-31, as now presented, is respectfully requested.

The paragraph at column 2, lines 51-58 of the specification is being amended to delete the reference numeral "15" from the specification since this reference numeral is not shown in the drawings and the "mooring system" is not recited in the claims. The paragraph at column 5, lines 46-67 is also being amended to delete the reference numeral "15" and to correctly identify the watercraft by the reference numeral "12" as shown in FIG. 5 of the drawings.

Claims 1-31 are pending in the above-identified reissue application.

Claim 11, lines 7 and 11, claim 18, lines 25 and 29, of U.S. Patent No. 6,681,709 and reissue claim 31, lines 7 and 11 have been amended to correct a defect in each of these claims. Specifically, the word --one-- is being inserted prior to the word "end" in each of these claims to correct a grammatical error in claims 11, 18 and 31.

A new reissue oath/declaration is being submitted with this amendment to correct the statement of error. Specifically, the

Appl. No. 10/828,533

Amdt. dated April 3, 2006

Reply to Office action of February 08, 2006

reissue declaration states that the patentees claimed more or less than they had the right to claim in U.S. Patent No. 6,681,700. The reissue declaration also states that the errors being corrected in the reissue application arose without any deceptive intention on the part of the Applicants/Patentees up to the time of the filing of this declaration. Reissue claim 21 corrects an error made in U.S. Patent No. 6,681,709, by removing the limitation of paragraph (c)(v) of claim 1 of U.S. Patent No. 6,681,709, which is "an anti-kayak guard positioned below and attached to said longitudinal strength member, said anti-kayak guard preventing small watercraft from slipping under said port security barrier system into said port facility". Newly presented reissue claims 22-31 are identical to claims 2-11 of U.S. Patent No. 6,681,709, but depend from claim 21 and therefore are broadening claims as is claim 21.

The Reissue Declaration also state that another error made in claim 11, lines 7 and 11, and claim 18, lines 25 and 29 of U.S. Patent No. 6,681,709 is being corrected. Specifically, the word --one-- is being inserted prior to the word "end" in claim 11, lines 7 and 11, and claim 18, lines 25 and 29 to correct a grammatical error in U.S. Patent No. 6,681,709. The Reissue Declaration also states that the reference numeral "15" is being

Appl. No. 10/828,533
Amdt. dated April 3, 2006
Reply to Office action of February 08, 2006

deleted from the specification, and the specification now correctly identifies the watercraft illustrated in FIG. 5 by the reference numeral --12--.

A supplemental declaration for the reissue application under 37 CFR 1.175(b)(1) is also being submitted with this amendment. This Declaration includes the following statement:

"Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant."

Each Declaration was signed by the inventors of U.S. Patent No. 6,681,709 and the above-identified reissue application: Laurence G. Nixon, Robert F. Taylor, William Seelig, and Stephen Slaughter.

A separate paper entitled "Status of Claims and Support for Claim Changes under 37 CFR 1.173(c)" is being submitted with this amendment. This paper is to bring the preliminary amendment of April 15, 2004 into conformance with the requirements of 37 CFR 1.173(c). Each new claim of the reissue application is now accompanied by an explanation of support in the disclosure of U.S. Patent No. 6,681,709 for all limitations added by the new claims 21-31.

In summary a new reissue declaration is being submitted

Appl. No. 10/828,533

Amdt. dated April 3, 2006

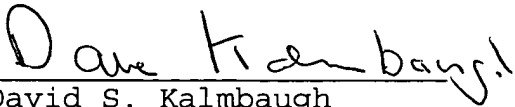
Reply to Office action of February 08, 2006

which identifies the changes or amendments to the claims of the reissue application including the addition of newly presented reissue claims 21-31 to the reissue application, which broaden the scope of claim coverage in the reissue application. Further, a supplemental declaration is being submitted for the reissue application under 37 CFR 1.175(b)(1) with this amendment.

Finally, a separate paper is being submitted with this amendment which provides an explanation of support in the disclosure for each of the reissue claims filed in the above-identified reissue application.

In view of the foregoing remarks, considered in conjunction with claims 1-31 as now presented, it is respectfully submitted that the application is in condition for allowance. Accordingly, the prompt issuance of this application is earnestly solicited.

Respectfully submitted,


David S. Kalmbaugh
Registration No. 29,234
(805) 989-8266